



CITY OF ROANOKE OFFICE OF THE CITY MANAGER

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December 15, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr. Council Member
Honorable Beverly T. Fitzpatrick, Jr. Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Driving Under the Influence (DUI)
Recovery Program

Background:

During Fiscal Year 2001-02, Roanoke Police Officers arrested 357 individuals for driving under the influence (DUI). During the same time period, there were 183 alcohol-related traffic accidents. DUI arrests totaled 395 in Fiscal Year 2002-03, with 187 alcohol-related traffic crashes – representing an 11 percent increase in DUI arrests and a two percent increase in alcohol-related traffic accidents over the previous fiscal year.

The Roanoke Police Department continues to spend a great deal of time, effort and money in combating drunk driving in an effort to make the city streets safer through a variety of special details and checkpoints conducted to decrease the number of drunk drivers on the streets. Many of these activities were held with the use of grant money to provide supplemental enforcement to the regular on-duty officers. Additionally, officers distributed literature to educate motorists on the dangers of drunk driving and what to do if a drunk driver is spotted by a citizen. While these efforts do serve to help make our streets safer, the problem persists.

Considerations:

Virginia State Code §15.2-1716 allows localities to enact an ordinance to recover reasonable expenses incurred by the locality from persons violating DUI, reckless driving, driving without a license, and other provisions when providing an appropriate emergency response to any accident or incident related to such a violation. In determining the "reasonable expenses", a locality may bill a flat fee of \$100 or a minute-by-minute accounting of actual costs incurred not to exceed the aggregate of \$1,000. For example, Roanoke County and the City of Virginia Beach have enacted such an

ordinance and their Police Departments currently bill convicted DUI offenders \$100 to recover costs incurred by the City for the officer's time.

This ordinance will serve to enhance our efforts to make our streets safer and allow the City to recoup a portion of the cost of public resources expended in response to DUI incidents. Roanoke's General District Court currently provides the Police Department with a post-court docket, which indicates those individuals convicted of a DUI offense within the city. Using the information provided through the docket, each offender would be billed \$100 by Police Department staff for each DUI conviction using the City-wide Billing System. At this point, the billing initiative would be separate and apart from the Court System fines; however, the collection process may be handled by the Court at some future date.

Projected annual revenue is estimated at approximately \$20,000. Funds recovered through this program would be used by the Police Department to purchase traffic/DUI enforcement equipment and related educational materials to enhance our efforts to combat drunk driving.

Recommended Action:

Adopt an ordinance amending and re-ordaining the Code of the City of Roanoke (1979), as amended, by adding a new section under Article I, "Sec. 20-17. Reimbursement of expenses incurred in responding to DUI incidents and other traffic incidents", to Chapter 20, Motor Vehicles & Traffic, and provide for an effective date of January 1, 2004.

Adopt a revenue estimate of \$10,000 in Account Number 001-110-1234-1412, DUI Offender Fee, for fees anticipated during the second half of FY 2004; and appropriate funding in the same amount to Account Number 001-640-3113-2035, Expendable Equipment.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB:mds

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Rolanda B. Russell, Assistant City Manager

A. L. Gaskins, Chief of Police
Ron S. Albright, General District Court Clerk
Dana D. Long, Manager of Billings & Collections

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